



Debtor **Emerous L Harvey** Case number \_\_\_\_\_

Joint Debtor shall pay \_\_\_\_ (☐ monthly, ☐ semi-monthly, ☐ weekly, or ☐ bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the court, an Order directing payment shall be issued to the joint debtor's employer at the following address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 2.3 Income tax returns/refunds.

Check all that apply

- ☒ Debtor(s) will retain any exempt income tax refunds received during the plan term.
- ☐ Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all non-exempt income tax refunds received during the plan term.
- ☐ Debtor(s) will treat income refunds as follows:  
\_\_\_\_\_

### 2.4 Additional payments.

Check one.

- ☒ **None.** If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

### Part 3: Treatment of Secured Claims

#### 3.1 Mortgages. (Except mortgages to be crammed down under 11 U.S.C. § 1322(c)(2) and identified in § 3.2 herein.).

Check all that apply.

- ☐ **None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.

**3.1(a) Principal Residence Mortgages:** All long term secured debt which is to be maintained and cured under the plan pursuant to 11 U.S.C. § 1322(b)(5) shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed by the mortgage creditor, subject to the start date for the continuing monthly mortgage payment proposed herein.

1 Mtg pmts to **21st Mortgage Corp**  
Beginning JULY 2018 @ **\$720.35** ☐ Plan ☒ Direct. Includes escrow ☒ Yes ☐ No

**-NO**  
**NE-** Mtg arrears to \_\_\_\_\_ Through \_\_\_\_\_ month \_\_\_\_\_

**3.1(b)** ☐ **Non-Principal Residence Mortgages:** All long term secured debt which is to be maintained and cured under the plan pursuant to 11 U.S.C. § 1322(b)(5) shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed by the mortgage creditor, subject to the start date for the continuing monthly mortgage payment proposed herein.

Property **-NONE-**  
address: \_\_\_\_\_

Mtg pmts to \_\_\_\_\_  
Beginning month @ \_\_\_\_\_ Plan \_\_\_\_\_ Direct. Includes escrow Yes No

Property **-NONE-** Mtg arrears to \_\_\_\_\_ Through \_\_\_\_\_ month \_\_\_\_\_

**3.1(c)** ☐ **Mortgage claims to be paid in full over the plan term:** Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed by the mortgage creditor.

Creditor: **-NONE-** Approx. amt. due: \_\_\_\_\_ Int. Rate\*: \_\_\_\_\_

Property Address: \_\_\_\_\_

Principal Balance to be paid with interest at the rate above: \_\_\_\_\_

(as stated in Part 2 of the Mortgage Proof of Claim Attachment)

Portion of claim to be paid without interest: \$ \_\_\_\_\_

(Equal to Total Debt less Principal Balance)

Special claim for taxes/insurance: \$ \_\_\_\_\_ **-NONE-** /month, beginning \_\_\_\_\_ month .

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(as stated in Part 4 of the Mortgage Proof of Claim Attachment)

\* Unless otherwise ordered by the court, the interest rate shall be the current Till rate in this District  
*Insert additional claims as needed.*

**3.2 Motion for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one..**

☒ **None.** If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

**3.3 Secured claims excluded from 11 U.S.C. § 506.***Check one.*

☐ **None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.  
☒ The claims listed below were either:

(1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or

(2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below. Unless otherwise ordered by the court, the claim amount stated on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) controls over any contrary amount listed below. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling.

| CNAC | Name of Creditor           | Collateral                  | Amount of claim    | Interest rate* |
|------|----------------------------|-----------------------------|--------------------|----------------|
|      |                            | <b>2010 Hyundai Elantra</b> | <b>\$9,082.00</b>  | <b>6.00%</b>   |
|      | <b>Exeter Finance Corp</b> | <b>2018 Kia Sportage</b>    | <b>\$28,134.00</b> | <b>6.00%</b>   |

\*Unless otherwise ordered by the court, the interest rate shall be the current Till rate in this District.

*Insert additional claims as needed.***3.4 Motion to avoid lien pursuant to 11 U.S.C. § 522.***Check one.*

☒ **None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

**3.5 Surrender of collateral.***Check one.*

☐ **None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

☒ The debtor(s) elect to surrender to each creditor listed below the collateral that secures the creditor's claim. The debtor(s) request that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 5 below.

| Name of Creditor                | Collateral               |
|---------------------------------|--------------------------|
| <b>Capital One Auto Finance</b> | <b>2015 Chrysler 200</b> |
| <b>Tower Loan</b>               | <b>household goods</b>   |

*Insert additional claims as needed.***Part 4: Treatment of Fees and Priority Claims****4.1 General**

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.5, will be paid in full without postpetition interest.

**4.2 Trustee's fees**

Trustee's fees are governed by statute and may change during the course of the case.

**4.3 Attorney's fees.**

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☒ No look fee: **3,400.00**

Total attorney fee charged: **\$3,400.00**

Attorney fee previously paid: **\$0.00**

Attorney fee to be paid in plan per confirmation order: **\$3,400.00**

☐ Hourly fee: \$\_\_\_\_. (Subject to approval of Fee Application.)

**4.4 Priority claims other than attorney's fees and those treated in § 4.5.**

*Check one.*

☒ **None.** If "None" is checked, the rest of § 4.4 need not be completed or reproduced.

**4.5 Domestic support obligations.**

☒ **None.** If "None" is checked, the rest of § 4.5 need not be completed or reproduced.

**Part 5: Treatment of Nonpriority Unsecured Claims**

**5.1 Nonpriority unsecured claims not separately classified.**

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

☐

The sum of \$

☒

**100.00** % of the total amount of these claims, an estimated payment of \$ **6,777.00**

☐

The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately **\$0.00**. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

**5.2 Other separately classified nonpriority unsecured claims (special claimants). *Check one.***

☐ **None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

☒ The nonpriority unsecured allowed claims listed below are separately classified and will be treated as follows:

| Name of Creditor                    | Basis for separate classification and treatment | Approximate amount owed   | Proposed treatment   |
|-------------------------------------|---|---------------------------|--|
| <u><b>U.S. Department of Ed</b></u> | <u><b>Educational</b></u>                       | <u><b>\$47,057.00</b></u> | <u><b>PAY AS UNSECURED DEBT (NON DISCHARGEABLE DEBT)</b></u> |

*Insert additional claims as needed.*

**Part 6: Executory Contracts and Unexpired Leases**

**6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. *Check one.***

☒ **None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

**Part 7: Vesting of Property of the Estate**

**7.1 Property of the estate will vest in the debtor(s) upon entry of discharge.**

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**Part 8: Nonstandard Plan Provisions**

**8.1 Check "None" or List Nonstandard Plan Provisions**



**None.** If "None" is checked, the rest of Part 8 need not be completed or reproduced.

**Part 9: Signatures:**

**9.1 Signatures of Debtor(s) and Debtor(s)' Attorney**

The Debtor(s) and attorney for the Debtor(s), if any, must sign below. If the Debtor(s) do not have an attorney, the Debtor(s) must provide their complete address and telephone number.

X

/S/ EMEROUS L. HARVEY

**Emerous L Harvey**

Signature of Debtor 1

Executed on JULY 27, 2018

**132 Norwood Circle**

Address

**Brandon MS 39042-0000**

City, State, and Zip Code

Telephone Number

X

Signature of Debtor 2

Executed on \_\_\_\_\_

Address

City, State, and Zip Code

Telephone Number

X

/S/ EDWIN WOODS JR.

**EDWIN WOODS, JR. MSB# 8893**

Signature of Attorney for Debtor(s)

**5760 I55 NORTH**

**SUITE 100**

**Jackson, MS 39211**

Address, City, State, and Zip Code

**601-353-5000**

Telephone Number

**LWILKINSON@BONDNBOTES.COM**

Email Address

Date JULY 27, 2018

**8893 MS**

MS Bar Number